

DfE 2010-12-16

**Statutory Guidance for Local Authorities under Paragraph A19 of the School Standards and Framework Act 1998: Change of use of land on conversion to an Academy**

1. Under the School Standards and Framework Act 1998, (Schedule 22, paragraph A13(7)) where Trustees hold publicly funded school land and propose to use it for purposes other than for a maintained school, this is treated as a disposal of land and the Trustees are required to notify the Local Authority as they would in the case of a disposal. The Local Authority may either notify the Trustees that it does not object to the use, or give notice of its objection to the proposed purposes for which the land is to be used.
2. This provision applies to a situation where publicly funded land is held by Trustees for the purposes of a maintained school that is converting to an Academy under the provisions in the Academies Act 2010, and the Trustees propose to retain the land after the conversion but allow the Academy to use the land without a direction by the Secretary of State under paragraph 4 of Schedule 1 to the Academies Act 2010.
3. In these cases **the Secretary of State would not expect a Local Authority to object to the proposed use of the land**, since the land will continue to be used for publicly-funded educational purposes and the public interest in the land will be protected after the conversion by the provisions in the Academies Act 2010.

Department for Education  
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